IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 6606 of 2007
Date of decision: 4.12.2007

Santosh Kumari **...Petitioner**

Versus

State of Punjab and others **...Respondents**

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. Raman Mohinder, Advocate for the petitioners

Mr. Ram Lal Gupta, Additional Advocate General, Punjab
for respondents No. 1 and 2.

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RAJESH BINDAL, J.

The challenge in the present petition is to the recovery sought to be made by the respondents on account of alleged excess payment of dearness allowance on the family pension, which was not admissible to her.

At the time of admission of the writ petition, recovery of the amount from the petitioner was stayed. The case was put up for confirming of interim order. However, keeping in view the stand in the reply filed by the respondents, the main writ petition itself is taken on board and disposed of.

In reply, it is stated that Punjab Government had issued instructions on May 28, 2007 to the effect that in case there is no allegation of fraud in the process of fixation of pension, no recovery be effected. Accordingly, a sum of Rs. 8684/- recovered from the petitioner, on account of dearness allowance paid on the family pension, was refunded back by crediting the same in her saving account No. 55041483616, maintained with the State Bank of Patiala, Chowk Fort Branch, Patiala

Once relief prayed for by the petitioner had already been granted by respondents, the present petition has been rendered infructuous and disposed of accordingly.

December 04 , 2007 **(Rajesh Bindal)**
Pka **Judge**